



Attorney's Doc No. 0953-016001-9741

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Applicant : Gary L. Nelsestuen

Art Unit : 1653

Serial No. : 09/497,591

Examiner : F. Moezie

Filed : February 3, 2000

Title : MODIFIED VITAMIN K-DEPENDENT POLYPEPTIDES

#8 5/19/01
T. Gray

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed March 28, 2001, applicant elects the invention of Group I drawn to the embodiment of modified Protein C or Activated Protein C (APC), and elects the species of Protein C or APC. Applicant further elects Protein C or APC having a glycine residue at amino acid 12, a glutamic acid residue at amino acid 33, and an aspartic acid or glutamic acid residue at amino acid 34 as the ultimate species. Within elected Group I, this election reads on claims 8-10. The election is made without traverse.

With respect to the requirements for the amino acid sequence disclosures, Applicant submits that a sequence listing was submitted with the application on the date of filing and that sequence identifiers are in place throughout the application. In particular, the specification contains a sequence identifier for wild-type Protein C amino acid sequence. See, page 10, line 31 through page 11, line 1 of the present specification. The specification also describes how the positions of the polypeptides are numbered. See the specification at page 9, lines 1-6, which indicates that amino acid positions of the polypeptides are numbered according to factor IX, and that Protein C has one less amino acid (position 4) and must be adjusted accordingly. Thus, when a claim recites a particular position, such as amino acid 12 of Protein C, it is actually position 11 of Protein C in the sequence listing. Thus, the sequence identifiers in the

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 25, 2001

Date of Deposit

Caryl C. Harriman
Signature

Caryl C. Harriman

Typed or Printed Name of Person Signing Certificate

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specification for Protein C can be used for searches. Thus, the application is in compliance with the requirements of 37 C.F.R. § 1.821 – 1.825.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

4/25/01



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